R E M A R K S

1.   Reconsideration and further prosecution of the above-
identified application are respectfully requested in view of the
discussion that follows. Claims 1-55 are pending in this
application. Claims 1-5, 8, 18-24, 27, 37-42 and 45 have been
rejected under 35 U.S.C. §103(a) as being obvious over U.S.
Patent No. 5,838,682 to Dekelbaum et al. in view of U.S. Patent
No. 6,188,673 to Bauer et al. and U.S. Patent No. 6,046,762 to
Sonesh et al. Claims 6-7, 25-26 and 43-44 have been rejected
under 35 U.S.C. §103(a) as being obvious over Dekelbaum et al.,
Sonesh et al., Bauer et al. and further in view of U.S. Patent
No. 5,657,383 to Gerber et al. Claims 9-17, 28-36 and 46-55 have
been rejected under 35 U.S.C. §103(a) as being obvious over
Dekelbaum et al., Sonesh et al., Bauer et al. and further in view
of U.S. Patent No. 5,884,032 to Bateman et al. After a careful
review of the Office Action, it has been concluded that the
rejections of the claims are in error and the rejections are
therefore traversed.

2.   Claims 1-5, 8, 18-24, 27, 37-42 and 45 have been
rejected under 35 U.S.C. §103(a) as being obvious over U.S.
Patent No. 5,838,682 to Dekelbaum et al. in view of U.S. Patent
No. 6,188,673 to Bauer et al. and U.S. Patent No. 6,046,762 to
Sonesh et al. In particular, the Examiner asserts that

>   Dekelbaum discloses a method for establishing an audio call
> path between an Internet user accessing a web site and an
> agent of the web site comprises the steps of providing the
> web site with a plurality of audio access icons and a
> plurality of agent groups; associating an agent group of the
> plurality of agent groups with a subject matter of each
> audio-access icon of the web site (Fig 1B, 6, Col 5, line 25
> to col 7, line 52, Dekelbaum et al disclose a web site which
> includes a plurality of web pages with the embedded phone
> number or data address of each of plurality of group of

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agents so that when the user views the web page information
and decides to speak to an agent the user just click on the
hot spot such as hypertext link, image, button or icon
wherein the phone number or data address is embedded in it
to establish a call path between the user and an agent group
over a local area network). However, Dekelbaum does not show
the steps of detecting an activation of an audio access icon
of plurality of icons; determining an overall type of
question associated with each audio icon from information
content of the web page of activated icon; selecting an
agent with a best relative ability to answer the determined
type of question based upon a skill list for the agent group
and establishing a voice path using IP telephony between the
Internet voice plug-ins of user and an agent of the
associated agent group based upon activation of an audio-
access icon by the user. In the same field of endeavor,
Bauer discloses the steps of detecting an activation of an
audio access icon of plurality of icons (Fig 2, Ref 216 and
Fig 1, Ref 103 is a web server has a plurality of web pages
121 and 122, each has an audio access icon 115); determining
an overall type of question associated with each audio icon
from information content of the web page of activated icon
(Fig 2, Ref 220, col. 2, lines 13-15); selecting an agent
with a best relative ability to answer the determined type
of question based upon a skill list for the agent group (Fig
2, Ref 242, selecting a agent and estimates waiting time);
See Col3, lines 50 to col4, lines 50, and col 5, lines 7-35)
and Sonesh discloses a well-known method for establishing a
voice path using IP telephony between the Internet voice
plug-ins of user and an agent of the associated agent group
based upon activation of an audio-access icon by the user
(Col 6, lines 5-8 and Fig 6, Ref 660, click on Icon for
establishing IP telephony by using a plug in module)

    Since, Dekelbaum suggests the use of autodialer which
is plug in into the web browser and a method of establishing
an IP telephony between two computers and the routing path
between the caller and a skill agent by using an ACD are
well known in the art. Therefore, it would have been obvious
to one of ordinary skill in the art at the time of the
invention was made to apply teaching of Sonesh and Bauer
such as determining routing path between the client and a
skill agent in order to establish a IP telephony via
Internet into Dekelbaum's communication system. The
motivation would have been to avoid a long distance charge
when the customer requests some information about the
product.

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It is noted first, that the claims are drawn to method steps of (and apparatus for) "providing a web site with a plurality of audio access icons each disposed on a respective web page of the web site". It is believed that this element, inter alia, is not taught or suggested by Dekelbaum et al., Bauer et al. or Sonesh et al or the combination of Dekelbaum et al., Bauer et al. and Sonesh et al.

For example, Dekelbaum et al. shows telephone numbers displayed only on a home page. More specifically, Dekelbaum et al. explicitly states that "the user can 'surf the net', or if the URL of the Merchant's home page is known, go directly to that home page, i.e., initiate a connection with the Merchant's Internet Server 102 which responds by sending the client the specified resource . . . as shown in FIG. 6 . . . enclosed in triangular brackets ("<>") in the figure are hyperlinks to automatically dial the Merchant Sales Facility" (Dekelbaum et al., col. 12, lines 4-12).

The Random House Webster's Computer & Internet Dictionary (Third Edition) defines "home page" as "The main page of a web site". Since a web site would only have one home page, it cannot be said that Dekelbaum et al. teaches or suggests "providing a web site with a plurality of audio access icons each disposed on a respective web page of the web site".

At best, Dekelbaum teaches of a plurality of web sites disposed on a server 102. For example "Assume an Internet Server 102 having Home Pages constituting a catalog . . . The Home Page also has the Merchant's phone number embedded in it" (Dekelbaum et al., col. 14, lines 51-54. Since Dekelbaum et al. only teaches of a server with a plurality of home pages on a respective plurality of websites, it does not meet the explicit limitations of the claims.

Bauer et al. also fails in this regard. For example, Bauer et al. explicitly states that "Web server 103 includes a

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Web home page 121 and zero or more additional Web pages 122 for a client of call center 106, which may be accessed by caller 100 via Web browser 101 over Internet 102" (Bauer et al. col. 4, lines 20-20). A web site that has a home page and "zero or more additional Web pages" is only permissive of more than one web page. It does not rise to the level of an affirmative teaching.

Further, "Home page 121 and zero or more pages 122 each has a conventional hypertext markup language (HTML) capability-such as a 'call' virtual button 115-by means of which a user of Web browser 101 can indicate a request to speak to an agent of call center 106" (Bauer et al. col. 4, lines 20-25). A home page 121 and zero or more pages 122, each with the capability of having a "call" virtual button 115 is only permissive of "call" virtual buttons 115. It also does not rise to the level of an affirmative teaching or suggestion of the use of a plurality of audio access buttons on a web site.

Sonesh et al. is also of no help in providing a teaching regarding the claim element of "providing a web site with a plurality of audio access icons each disposed on a respective web page of the web site". As such, the combination of Dekelbaum et al., Bauer et al. and Sonesh et al. fails to teach each and every element of the claimed invention.

In addition to the first claim element, the combination of Dekelbaum et al. Bauer et al. and Sonesh et al. also fails to teach or suggest other elements. For example, the third and fourth elements of claim 1 are drawn to "determining an overall type of question associated with the activated audio-access icon from an information content of the web page of the activated audio access icon" and "selecting an agent of the plurality of agents with a best relative ability to answer the determined type of question based upon a skills list for the plurality of agents". As described, "Forwarding of the user from the original web site 22 to an agent 34, 38 is accomplished by regarding a

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help request from the user as an additional search term"
(specification, page 6, lines 15-17).

As discussed above, Dekelbaum et al. is drawn to hot
spots (i.e., telephone numbers) disposed on home pages. Since
Dekelbaum et al. teaches of telephone numbers disposed on a home
page, there is no "determining an overall type of question
associated with the activated audio-access icon from an
information content of the web page of the activated audio access
icon" or "selecting an agent of the plurality of agents with a
best relative ability to answer the determined type of question
based upon a skills list for the plurality of agents".

With regard to Bauer et al., "Each of the call-center
client's Web pages 121, 122 that has a 'call' virtual button 115
includes a Common Gateway Interface (CGI) 123 that is invoked
each time a caller 100 accesses the page and also each time a
caller 100 actuates 'call' button on that page" (Bauer et al.,
col. 4, lines 31-36). As would be abundantly clear to any person
of skill in the art, any client with only one "call" virtual
button 115 per web site would represent a different call type
under Bauer et al. As such, the "split agent-staffing and agent-
skill needs" of Bauer et al. (col. 5, line 63) must necessarily
refer to clients, not web pages.

Further, the "call" virtual buttons 115 of Bauer et al.
is used for a different purpose than that of the claimed
invention. For example, "A supervisor of call center 106 can use
reports on current (recent) numbers of hits on the client's pages
along with the historical ratios of page hits to calls ("call"
button 115 actuations) as a predictor of the volume of calls that
call center 106 will have to handle, and make corresponding agent
staffing changes in anticipation thereof" (Bauer et al., col. 5,
lines 44-49). Since Bauer et al. uses the "call" button 115 to
make staffing changes instead of for selecting agents, there is
no "determining an overall type of question associated with the

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activated audio-access icon from an information content of the web page of the activated audio access icon" or "selecting an agent of the plurality of agents with a best relative ability to answer the determined type of question based upon a skills list for the plurality of agents".

Sonesh et al. fails to provide any teaching regarding audio access icons. As such, Sonesh et al. is of no help in providing this missing element.

For any of the above reasons, the combination of Dekelbaum et al., Bauer et al. and Sonesh et al. fails to teach each and every claim element as required by MPEP §2143.03. Since the combination fails to teach each and every claim element, the prima facie case of obviousness has not been made. Since the prima facie case of obviousness has not been made, the rejection is improper and should be withdrawn.

3.   Claims 6-7, 25-26 and 43-44 have been rejected as being obvious over Dekelbaum et al., Sonesh et al., Bauer et al. and Gerber et al. However, Gerber et al. also fails to provide the missing elements discussed above. Since the combination of Dekelbaum et al., Sonesh et al., Bauer et al. and Gerber et al. fail to teach each and every claim limitation, as required by MPEP §2143.03, the rejection is improper and should be withdrawn.
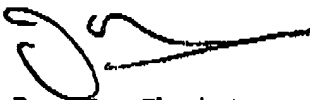
4.   Claims 9-17, 28-36 and 46-55 have been rejected under 35 U.S.C. §103(a) as being obvious over Dekelbaum et al., Sonesh et al., Bauer et al. and Bateman et al. However, Bateman et al. also fails to provide the missing elements discussed above. Since the combination of Dekelbaum et al., Sonesh et al., Bauer et al. and Bateman et al. fail to teach each and every claim limitation, as required by MPEP §2143.03, the rejection is improper and should be withdrawn.

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5.   Allowance of claims 1-55, as now presented, is believed
to be in order and such action is earnestly solicited. Should
the Examiner be of the opinion that a telephone conference would
expedite prosecution of the subject application, he is
respectfully requested to telephone applicant's undersigned
attorney.

Respectfully submitted,

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By

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Mark-Up of Amended Specification

In the specification:

On page 11, lines 9-18, change the paragraph to read as follows:

The screen pop may include any information collected from the user and also an identifier of the web page where the problem occurred. Transferring information to the agent 34 regarding where [in] the problem occurred allows the agent 34 to view the same web page viewed by the user whe[re]n the problem occurred. Further, the transfer of the collected information to the agent 34 allows the agent 34 to complete the transaction directly or to answer the user's question and allow the user to hit the "back" key on his Internet screen and return to the previous page 22.